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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of:

Kerslick *et al.*

Appl. No. 09/902,659

Filed: July 12, 2001

For: **X-Ray Catheter with Miniature Emitter and Focusing Cup**

Art Unit: 3737

Examiner: To be assigned

Atty. Docket: P789 US
(1737.2110000/LEA)

Supplemental Information Disclosure Statement

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application

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does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- 1. This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
 - a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
 - b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
 - c. Attached is our Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p).
- 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice

of Allowance, but before payment of the Issue Fee. Enclosed find our Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

- a. I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

4. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.

5. A concise explanation of the relevance of the non-English language document(s) appears below:

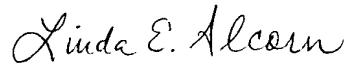
6. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Linda E. Alcorn
Attorney for Applicants
Registration No. 39,588

Date: 1/14/02

1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934
(202) 371-2600

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FORM PTO-1449 <u>INFORMATION DISCLOSURE STATEMENT</u>			ATTY. DOCKET NO. P789 US (1737.2110000/LEA)	APPLICATION NO. 09/902,659
			APPLICANT Kerslick et al.	
			FILING DATE July 12, 2001	GROUP 3737

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
O I P E C T I	AA2					
JAN 14 2002 P A R E N T & T R A D E M A R K O F F I C E	AB2					
	AC2					
	AD2					
	AE2					
	AF2					
	AG2					
	AH2					
	AI2					
	AJ2					
	AK2	3,688,150	08/1972 Wintzer			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION
	AL2					Yes No
	AM2					Yes No
	AN2					Yes No
	AO2					Yes No
	AP2					Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	2	Ward, Roger W., "The Constants of Alpha Quartz," 14 th Piezoelectric Devices Conference and Exhibition, September 15-17, 1992, Sponsored by Components Group EIA, 1992, (See especially Table I, pp. 3-4)
AS	2	
AT	2	

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
O I P E S O N T		AA3 5,012,102	04/1991	Gowlett			
JAN 14 2002		AB3 6,148,061	11/2000	Shefer et al.			
		AC3 6,275,566	08/2001	Smith et al.			
		AD3 08/701,764		Chornenky et al.			08/1996
		AE3 08/806,244		Chornenky et al.			02/1997
		AF3 09/756,287		Chornenky et al.			01/2001
		AG3					
		AH3					
		AI3					
		AJ3					
		AK3					

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		AL3					Yes No
		AM3					Yes No
		AN3					Yes No
		AO3					Yes No
		AP3					Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	3	
AS	3	
AT	3	

EXAMINER	DATE CONSIDERED
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